

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:06CV131

VIRGINIA GREELEY, Executrix of the)

Estate of Paul J. Greeley; and)

VIRGINIA GREELEY,)

Plaintiffs,)

Vs.)

AUTO-OWNERS INSURANCE CO., a)

Michigan Corporation, and)

BLACKWELL CONSTRUCTION, INC.,)

a South Carolina Corporation,)

Defendants,)

And)

DECLARATORY
JUDGMENT

AUTO-OWNERS INSURANCE CO., a)

Michigan Corporation,)

Defendant and)

Third-Party Plaintiff,)

Vs.)

BLACKWELL CONSTRUCTION, INC.,)

a South Carolina Corporation;)

JERRY BLACKWELL, and wife,)

SANDRA BLACKWELL,)

Third-Party Defendants.)

For the reasons set forth in the Memorandum and Order filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the motion of Defendant and Third-Party Plaintiff Auto-Owners Insurance Co., for summary judgment is **ALLOWED**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant and Third-Party Plaintiff Auto-Owners Insurance Co., is not obligated under the terms of the policy of insurance at issue herein to defend or indemnify the Third-Party Defendants in the litigation now pending in the North Carolina General Court of Justice, Superior Court Division of Polk County, North Carolina.

IT IS FURTHER ORDERED that, all matters having been resolved by this Memorandum and Order and Declaratory Judgment, this matter is hereby **DISMISSED WITH PREJUDICE** in its entirety.

Signed: January 25, 2008



Lacy H. Thornburg
United States District Judge

